SOUTHERN DISTRICT OF NEW YORK In re: Chapter No. 11 FAIRPOINT COMMUNICATIONS INC., et al., Case No.: 09-16335 (BLR) (Jointly Administered) Debtors. FAIRPOINT COMMUNICATIONS INC., NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC AND TELEPHONE OPERATING COMPANY OF VERMONT LLC, Plaintiffs, Adv. Proc. No. 11-01759 (BRL) v. SEGTEL, INC. AND SEGNET TECHNOLOGIES, INC., Defendants.

UNITED STATES BANKRUPTCY COURT

## STIPULATION REGARDING MEDIATION AND SCHEDULING ORDER

Plaintiffs FairPoint Communications, Inc., Northern New England Telephone
Operations LLC and Telephone Operating Company of Vermont LLC (collectively, the
"Plaintiffs") and segTEL, Inc. and segNET Technologies, Inc. (collectively, the "Defendants"
and together with the Plaintiffs, the "Parties"), hereby stipulate and agree, by and through their
undersigned counsel, as follows.

## **RECITALS**

WHEREAS, on June 22, 2011, the Court entered a scheduling order (the "Scheduling Order") setting forth various deadlines in the adversary proceeding.

WHEREAS, on August 25, 2011, the Court entered an order referring the Parties' dispute, as further described in the order, to mediation.

## NOW THEREFORE, THE PARTIES STIPULATE AND AGREE AS

## **FOLLOWS:**

- 1. The Parties have selected Larry I. Glick as the mediator. The Parties will contact Mr. Glick to commence the mediation.
- 2. Neither of the Parties shall serve any discovery requests during the pendency of the mediation.
- 3. All deadlines in the Scheduling Order shall be held in abeyance pending the outcome of the mediation. In the event the mediation is unsuccessful, the Parties will confer in good faith and submit a revised Scheduling Order setting forth new deadlines regarding discovery and motion practice.

Dated: New York, New York. August 31, 2011

PAUL HASTINGS JANOFSKY & WALKER LLP

PERKINS COIE LLP

By: /s/ James T. Grogan

Luc A. Despins, Esq. James T. Grogan, Esq. 75 E. 55th Street, First Floor New York, NY 10022 (212) 318-6000 (212) 319-4090

Attorneys for Plaintiffs

By: /s/ Jeffrey D. Vanacore
Schuyler G. Carroll
Jeffrey D. Vanacore

30 Rockefeller Center, 25th Floor New York, NY 10112-0085 212.262.6900

And

Lawrence Reichman (pro hac vice pending) Jeanette L. Thomas PERKINS COIE LLP 1120 N.W. Couch Street, Tenth Floor Portland, OR 97209-4128 503.727.2000

Attorneys for Defendants segTEL, Inc. and segNET Technologies, Inc.

Dated: New York, New York. September 1, 2011 SO ORDERED

/s/Burton R. Lifland

UNITED STATES BANKRUPTCY JUDGE